

FORM PTO-1390  
(REV 12-2001)

ATTORNEY DOCKET NUMBER

4439-4022

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (If known, see 37 CFR 1.51)

TBA **10/500173**

INTERNATIONAL APPLICATION  
PCT/JP02/13683

INTERNATIONAL FILING DATE  
26 December 2002 (26.12.02)

EARLIEST PRIORITY DATE CLAIMED  
28 December 2001 (28.12.01)

TITLE OF INVENTION

CELL-SPECIFIC EXPRESSION/REPLICATION VECTOR

APPLICANT(S) FOR DO/EO/US

Katsuhito TAKAHASHI and Hisako YAMAMURA

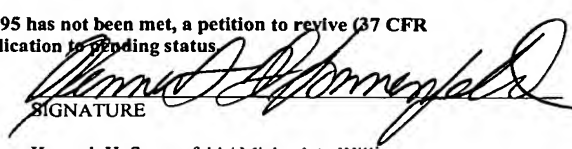
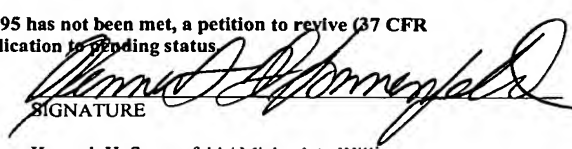
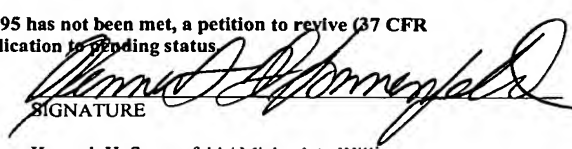
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English translation of the International application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto (specification: 50 pgs.; claims: 8 pgs.; abstract: 1 pg.; drawings: 8 sheets (FIGS 1-9))
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included.

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98, Form PTO-1449, with a copy of all cited references.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825 with paper copy of sequence listing: 4 pgs. and Sequence Listing Statement.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or Information:

Copies of: PCT Request document with English translation; Forms: PCT/IB/301; PCT/IB/304; PCT/IB/308; PCT/ISA/202, PCT/ISA/210; PCT/ISA/220; PCT/RO/105; PCT/IB/306; and published PCT application – Publication Number WO 03/057888 A1.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.51) <b>TBA 10/500173</b>		INTERNATIONAL APPLICATION NO. PCT/JP02/13683		ATTORNEY'S DOCKET NO. 4439-4022																									
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5) ):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1,080.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO....\$920.00  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO.....\$770.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1) - (4).....\$730.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) - (4).....\$100.00  <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;">\$</th> </tr> <tr> <td>Total claims</td> <td>40 - 20 =</td> <td>20</td> <td>x \$18.00</td> <td>\$360</td> </tr> <tr> <td>Independent claims</td> <td>1 - 3 =</td> <td>0</td> <td>x \$86.00</td> <td>\$---</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+\$290.00</td> </tr> </table> <b>TOTAL OF ABOVE CALCULATIONS =</b> \$ Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28). <b>SUBTOTAL =</b> \$ Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). <b>TOTAL NATIONAL FEE =</b> \$ Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + <b>TOTAL FEES ENCLOSED</b> \$1,610				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	Total claims	40 - 20 =	20	x \$18.00	\$360	Independent claims	1 - 3 =	0	x \$86.00	\$---	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+\$290.00	<b>CALCULATIONS PTO USE ONLY</b>          \$920  \$---  \$  \$360  \$---  \$290  \$  \$1,570  \$  \$  \$1,570  \$ 40  \$1,610  <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Amount to be refunded:</td> <td style="width: 50%;">\$</td> </tr> <tr> <td>charged</td> <td>\$</td> </tr> </table>		Amount to be refunded:	\$	charged	\$
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Amount to be refunded:	\$																												
charged	\$																												
a. <input checked="" type="checkbox"/> A check in the amount of \$1,610 to cover the above fees is enclosed.																													
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.																													
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-4500 (order no. 4439-4022). A duplicate copy of this sheet is enclosed.																													
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.																													
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.																													
<b>SEND ALL CORRESPONDENCE TO:</b>  <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <b>Enter Address Here</b>            Morgan &amp; Finnegan, LLP            345 Park Avenue            New York, New York 10154            Tel. (212) 758-4800            Fax (212) 751-6849         </td> <td style="width: 50%; vertical-align: top;">             SIGNATURE            Kenneth H. Sonnenfeld / Michael A. Willis            NAME            33,285 / 53,913            REGISTRATION NO.         </td> </tr> </table>						<b>Enter Address Here</b> Morgan & Finnegan, LLP 345 Park Avenue New York, New York 10154 Tel. (212) 758-4800 Fax (212) 751-6849	 SIGNATURE Kenneth H. Sonnenfeld / Michael A. Willis NAME 33,285 / 53,913 REGISTRATION NO.																						
<b>Enter Address Here</b> Morgan & Finnegan, LLP 345 Park Avenue New York, New York 10154 Tel. (212) 758-4800 Fax (212) 751-6849	 SIGNATURE Kenneth H. Sonnenfeld / Michael A. Willis NAME 33,285 / 53,913 REGISTRATION NO.																												

10/500173

Docket No. 4439-4022

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Katsuhito TAKAHASHI and Hisako YAMAMURA  
Group Art Unit: TBA  
Serial No.: TBA  
Examiner: TBA  
Filed: HEREWITH  
For: CELL-SPECIFIC EXPRESSION/REPLICATION VECTOR

**EXPRESS MAIL CERTIFICATE**

**Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**Attention: DO/EO/US**

Express Mail Label No.: **EV 511405858 US**  
Date of Deposit: **June 24, 2004**

I hereby certify that the following attached paper(s) and/or fee

- Transmittal Form PTO-1390 (2 pages + duplicate)
- An English translation of the International application as filed (specification: 50 pgs.; claims: 8 pgs.; abstract: 1 pg.; drawings: 8 sheets (FIGS 1-9.);
- Information Disclosure Statement with form PTO-1449 together with copies of all cited references; A computer-readable form of the sequence listing (1 disk); Statement and paper copy of Sequence Listing (4 pages); Published PCT application – Publication Number WO 03/057888 A1; PCT Request document with English translation;
- Forms: PCT/IB/301; PCT/IB/304; PCT/IB/308; PCT/ISA/202, PCT/ISA/210; PCT/ISA/220; PCT/RO/105; PCT/RO/106;
- Declaration (executed)(9 pages); Assignment (executed) (3 pages)
- Check in the sum of \$1,610; and
- Return postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jafet N. Cotto

(Typed or printed name of person mailing papers(s) and/or fee)

(Signature of person mailing paper(s) and/or fee)

**Correspondence Address:**  
**MORGAN & FINNEGAN, L.L.P.**  
345 Park Avenue  
New York, NY 10154-0053  
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